

**Minutes of the Public Works Committee**  
**April 1, 2010**

Chair David Swan called the meeting to order at 8:31 a.m.

**Committee Members Present:** County Board Supervisors David Swan (Chair), Peter Wolff, (arrived at 8:33 a.m.) Walter Kolb, John Pledl and Pamela Meyer. **Absent:** Supervisors Pauline Jaske and Peter Gundrum.

**Also Present:** Chief of Staff Mark Mader, Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Park System Manager Duane Grimm, Business Manager Betsy Crosswaite, Highway Operations Manager Peter Chladil, Findorff Vice-President of Operations Mike Dillis, Fleet Manager Bob Rauchle, Architectural Services Manager Dennis Cerreta, Public Works Director Allison Bussler, Corporation Counsel Tom Farley, Allyson Nemec of Quorum Architects, Inc.

**Approve Minutes of March 11, 2010**

MOTION: Kolb moved, second by Pledl, to approve the minutes of March 11, 2010.  
Motion carried: 4-0.

**Correspondence**

- Swan stated that information on the Wisconsin County Highway Association Conference in June is available in the County Board Office.

Wolff arrived at 8:33

**Future Meeting Date**

- May 13, 2010

**Future Agenda Items**

- Review of new State guidelines for setting speed limits
- Waukesha County Transit Update on Route 218

**Executive Committee Report**

Swan summarized the items discussed at the Executive Committee meeting of March 29, 2010.

- Update on Information Technology Projects: CAD – Geo-Based System selection; Tax System; Tract Index System; Countywide Cashiering
- Review of the 2010-2012 Audit Plan
- Review of the 2009 Cash Count Report
- Appointments (2)
- Committee Reports

**Request to Accept the Bid Withdrawal of Findorff Construction for the Maintenance Building Construction at the Retzer Nature Center (CIP #200609)**

Grimm distributed the bid summary listing the 13 bidders for the Retzer Nature Center Maintenance Building project. J.H. Findorff & Son, Inc. was listed as the low bidder, submitting a total bid of \$487,820. Farley explained the circumstances that led to the request by Findorff to withdraw their bid. He stated that within an hour of the bid closing, the project manager called with the request for withdrawal of the bid due to an error in their final calculation. Mike Dillis, Vice-President of

Operations for J.H. Findorff and Son, Inc., followed up this request with a fax, email and certified letter. Dillis confirmed there had been an error made when calculating the final cost estimate prior to the bid opening. Farley advised that in this type of situation, the bid bond is often forfeited; however, the State has issued new guidelines on how to analyze such errors [WI Statute 66.0901(5)]. J.H. Findorff and Son, Inc. has satisfied the requirements of this statute. Farley recommended allowing withdrawal of the bid and waiving the forfeiture of the bid bond in this particular case. The County's architect for this project, Quorum Architects, was consulted and agreed with the determination.

MOTION: Wolff moved, second by Kolb, to approve withdrawal of the bid from J.H. Findorff, Inc.

Further discussion continued to clarify the particulars of the error that occurred on the part of J.H. Findorff, Inc. To answer Meyer's question, Farley said that the bid bond amount is typically 10% of the total bid, or about \$48,000 in this instance. Swan asked about Waukesha County's past history with bid withdrawals as such. Farley explained that this type of incident has happened maybe 6 times in the last 8 or 9 years. Those cases were not as clear-cut as this one. Kolb inquired if the withdrawal was requested after all of the bids were opened. Farley said yes, all of the bids were known at the time of the request for withdrawal. However, Findorff has submitted their paperwork for review by the County. Farley said after examining the spreadsheets it was clearly an inadvertent error, in that a number was placed in the wrong cell during a cut and paste procedure and did not add into the final dollar amount. There was no attempt to gain an advantage in the bidding. Dillis assured that he and others examined the bid before it was submitted, but their system of checks and balances failed in this instance.

Motion carried: 5-0.

MOTION: Wolff moved, second by Kolb, to waive forfeiture of the bid bond for J.H. Findorff, Inc.  
Motion carried: 5-0.

**Request to Award the Bid to Creative Constructors, LLC for the Maintenance Building Construction at Retzer Nature Center (CIP #200609)**

Grimm discussed the bid figures as outlined on the bid summary previously distributed. He discussed the specifications included in the base bid, as well as alternates A, B, C and D. Grimm stated that Creative Constructors, LLC, was the lowest responsible bidder after withdrawal of the bid by J.H. Findorff and Son, Inc., as previously discussed. Grimm stated that approval is being requested for the base bid in the amount of \$564,400, alternate B in the amount of \$4500 for the clear cedar siding, and alternate C in the amount of \$6,800 for Solatubes in the storage bay. The total construction budget for this project was \$724,000.

MOTION: Pledl moved, second by Kolb, to approve the total bid by Creative Constructors, LLC, in the amount of \$575,700. Motion carried: 5-0.

**Request to Award the Bid for the Muskego Park Restrooms (CIP #200505)**

Grimm reviewed the bid tabulation form as outlined. There were 17 bidders for the construction of 3 restroom facilities at the Muskego Park picnic areas; two of the bidders (Mike Koenig Construction and United) were disqualified. Of the 15 remaining bidders, Creative Constructors Inc. provided the low bid of \$379,880 (\$126,627 per unit). This project has a budget of \$480,000 (\$160,000 per unit).

MOTION: Wolff moved, second by Meyer to approve the bid by Creative Constructors, Inc. in the amount of \$379,880.

After brief discussion questioning the proper legal structure of Creative Constructors (LLC versus Inc.) as listed on the bid paperwork, Mader advised approving award of the bid to Creative Constructors without specifying LLC or Inc.

MOTION: Wolff moved, second by Meyer, to amend the motion by striking out “Creative Constructors, Inc.” and inserting “Creative Constructors”. Motion carried: 5-0.

Motion carried as amended: 5-0.

### **Bid Rejection – Secured Corridor Project (CIP #200326)**

Bussler explained the Secured Corridor Project history and background to date.

MOTION: Wolff moved, second by Pledl to reject the bid for the Secured Corridor Project.

Bussler stated that all bids on this project came in considerably over budget. The total budget for this project is about \$2 million; the bids came in at approximately \$2.3 million for the construction phase, which is over \$600,000 more than budgeted amount for construction of about \$1.6 million. The bidders were very competitive; all 9 submitted bids came in at about 1% of each other, which is unusual. Cerreta discussed certain elements of the project where some “value engineering” changes could be implemented. Cerreta outlined several ways to reduce costs by going with less expensive, less decorative options. Conservative estimates indicate a possible savings of \$250,000 - \$350,000.

Bussler said it is the intention of the Department of Public Works (DPW) to come back to the County Board in the future to ask for more money for this project. In the meantime, DPW will work with the Sheriff and Judiciary to come to a consensus after the reevaluation of the Secured Corridor Project. In closing, Cerreta stated it is the recommendation of the DPW to reject the current bids.

Motion carried: 5-0.

### **Discuss and Consider Ordinance 164-O-110: Parking Regulation – CTH NN**

MOTION: Pledl moved, second by Wolff, to approve Ordinance 164-O-110.

Grulke explained the request by the Village of Eagle Police Department to designate a parking stall for a police vehicle on CTH NN. He reviewed handouts of an aerial view and hand-drawn illustration of the proposed signage area. He specified that the parking space would be used strictly for the squad car. Discussion ensued with regard to the verbiage contained within the ordinance pertaining to wording on the sign.

MOTION: Wolff moved, second by Pledl, to amend the motion to approve Ordinance 164-O-110, lines 16 and 17, striking out “No Parking Police Cars” and adding the word “appropriately”. Motion carried: 5-0.

Motion carried as amended: 5-0.

**Discuss and Consider Ordinance 164-O-111: Establishment Of Speed Zone – CTH DR**

MOTION: Pledl moved, second by Wolff, to approve Ordinance 164-O-111.

Grulke stated that the request for lowering the speed limit on CTH DR was initiated by Supervisor Bonnie Morris on behalf of the Town of Summit Police Department. The subject area is located in front of the new Aurora Hospital at the Stone Hedge Trail intersection.

Following a review of the request, a speed study was conducted. The request was directed at lowering the speed limit on DR in front of the hospital entrance, where the existing speed limit is posted at 55 MPH. The subject area speed data was collected and analyzed. Staff recommended that lowering the speed limit on DR from 55 MPH to 45 MPH, from Dousman Road to the intersection at CTH P, would promote a safer speed zone in this area.

Bussler stated the backlog of speed study requests has lessened however, DPW is now informing requesters that there will be a few months wait to have their requests fulfilled.

Mader pointed out the reference to Supervisor Bonnie Hunt within the attached pages of the yellow-copy ordinance. For clarification, Grulke confirmed this was an error, stating it was indeed Supervisor Bonnie Morris who should be referenced.

Motion carried: 5-0.

Pledl left at 9:45 a.m.

**AVL (Automatic Vehicle Location) System Update and Demonstration**

Chladil and Rauchle were present to discuss and demonstrate the new AVL system. The AVL system installation process is ongoing. The system will be installed on 31 of the 65 County trucks as part of a statewide pilot project.

Wolff informed Swan he must leave the meeting at approximately 10:00 a.m. The meeting would adjourn at this time due to lack of quorum.

Chladil and Rauchle agreed to continue with the AVL System Update/Demonstration and the Patrol Truck Lifecycle and Electrical System Update following adjournment.

MOTION: Wolff moved, second by Meyer to adjourn at 10:02 am. Motion carried: 4-0.

Respectfully submitted,

Peter Wolff  
Secretary